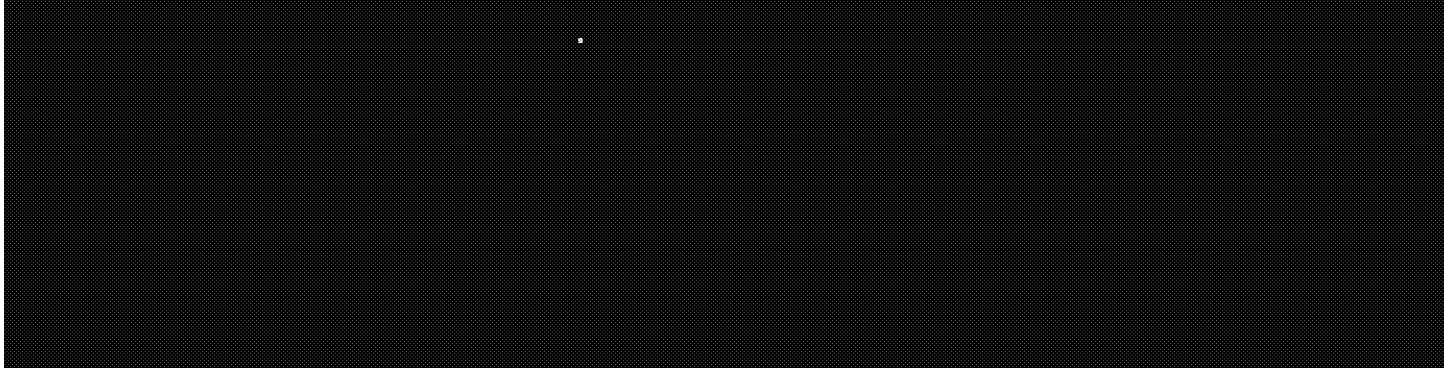


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# Environment & Energy Report

Tuesday, May 24, 2022

Inside:  **Companies & Law Firms**

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## Order Leaves 5th Circuit's March Ruling in Place

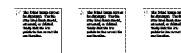
Litigation tops today's news, starting with the Fifth Circuit turning down the government's request for a rehearing after a three-judge panel concluded that a federal tax on crude oil exports is unconstitutional.

The order leaves in place the panel's March 24 ruling that commodity trading company Trafigura Trading LLC was owed a refund of more than \$4.2 million in taxes applied on about 50 million barrels of crude oil.

The Justice Department told the US Court of Appeals for the Fifth Circuit that the IRS had received nearly \$40 million in refund claims from taxpayers within the Fifth Circuit and expected more to come if the decision stands.

The department said the panel's conclusion misapplied US Supreme Court precedent.

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## Exxon Must Face Massachusetts Climate Suit

Massachusetts' top appeals court ruled that Exxon Mobil Corp. must face a lawsuit by the state accusing it of misleading investors and consumers about the impact of climate change on its business and products.

The Supreme Judicial Court issued the ruling to affirm a Superior Court decision that the suit can go forward. Attorney General Maura Healey (D) filed suit in 2019, alleging the energy company hid early knowledge of climate change.

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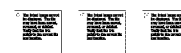
## Rosemont Copper's Giving Up Permit Ends Lawsuits

Environmental groups and tribes failed to convince a federal judge in Arizona to let their lawsuits proceed after Rosemont Copper Co. surrendered its permit for its Copper World Project.

The groups argued in consolidated cases that the Army Corps of Engineers violated the Clean Water Act and National Environmental Policy Act when it issued the permit.

The groups sought an order from the US District Court for the District of Arizona tossing the permit and blocking drilling and exploration activities associated with the project. That relief isn't available because Rosemont surrendered the permit, the US District Court for the District of Arizona said.

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### Companies

Mentioned in this issue

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### Law Firms

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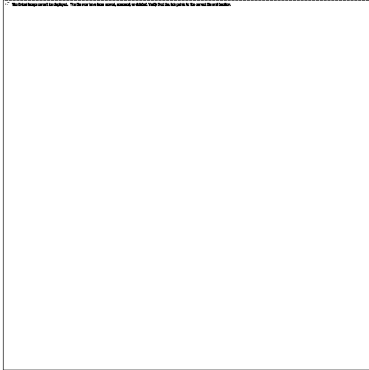
Exxon Mobil Corp

Chamberlain Hrdlicka

Earthjustice

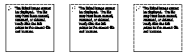
Fennemore Craig

Rusing Lopez & Lizardi



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